

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants-Irrigation Department-Allegations of corruption against Sri Katla Madhava Chary, Technical Officer, Office of the Superintending Engineer, Nagarjuna Sagar Left Branch Canal, Operation & Maintenance Circle, Miryalaguda, Nalgonda District - Trap case - Sanction for prosecution – Orders - Issued.

IRRIGATION & C.A.D. (IW:SERVICES-VI(1) DEPARTMENT

G.O.Ms.No. 210

Dated: 27 -06-2009.

O R D E R:

Whereas, Sri Katla Madhava Chary worked as Technical Officer/Head Draughtsman, Office of the Superintending Engineer, Nagarjuna Sagar Left Branch Canal, Operation & Maintenance Circle, Miryalguda, Nalgonda District from 02-12-1996 to 19-11-2008 and by virtue of the post held by him, he falls under category of public servant as defined under Sec.2 (C) of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988);

2. Whereas, it is alleged that Sri Gudepu Srinivas S/o Venkat Narsu, age 38 years, Occupation: Agriculture and President, Water Users Association No.59, Burgugadda (V), Huzurnagar (M), Nalgonda District is the elected President of Water Users Association No.59, Burgugadda Village, Huzurnagar (M), Nallgonda District and discharging the duties since January, 2008. About two months back prior to 17-11-2008 the Association passed a resolution for taking up repairs for the canals and structures in order to proper utilization of the water, for which they got the estimates done by the Assistant Engineer concerned. Sri G.Srinivas came to know that the said estimates were forwarded on 13-11-2008 to the Superintending Engineer, N.S. Canals, Miryalguda through proper channel. After getting sanction, the said works are to be carried-out by their Association. On that, on 15-11-2008 Sri Gudepu Srinivas visited Superintending Engineer's Office at Miryalguda to know whether the said proposals were sent to Chief Engineer, Canals for administrative sanction and enquired with Sri Madhava Chary, Head Draughtsman/Technical Officer. The said Madhava Chary demanded Rs.10,000/- as bribe to prepare the draft proposals in their favour and send the same to the Chief Engineer for sanction, on which Sri Gudepu Srinivas stated that they are doing the works on behalf of the Water Users Association and they are not the Contractors. But the said Madhava Chary did not heed to his words. Again on 17-11-2008 Sri Gudepu Srinivas met Sri Madhava Chary at Superintending Engineer's Office, Miryalaguda and enquired about their file. But Sri Madhava Chary reiterated his earlier demand of bribe of Rs.10,000/- and stated that, his work will be done only on payment of demanded bribe amount. Then Sri Gudepu Srinivas stated that the farmers will carry their agriculture produces on their Bullock Carts through the Bunds of the Canal for which repairs to be taken up immediately and pleaded with Sri Madhava Chary to send the proposals to the Chief Engineer without delay. But Sri Madhava Chary did not listen to Sri Gudepu Srinivas and reiterated his earlier demand of bribe amount. When Sri Gudepu Srinivas pleaded his inability to pay such a huge amount as bribe, Sri Madhava Chary scaled down his demand of bribe to Rs.6,000/-. As there is no other alternative to Sri Gudepu Srinivas agreed to pay the bribe and returned saying that he would come and meet him within 2 or 3 days with the bribe amount. As Sri G.Srinivas was not willing to pay bribe to Sri Madhava Chary, Head Draughtsman and if the bribe amount is not paid, Sri Madhava Chary will not process their file, Sri Gudepu Srinivas lodged a written complaint and requested to take necessary legal action against

(P.T.O.)

Sri Madhava Chary, Head Draughtsman, Office of the Superintending Engineer, Nagarjuna Sagar Canals, Operation & Maintenance Circle, Miryalaguda of Nalgonda District. The Deputy Superintendent of Police, Anti Corruption Bureau, Hyderabad Range, Hyderabad after due enquiry registered a case in Cr.No.23/ACB-HR/2008 under section 7 of the Prevention of Corruption Act, 1988 on 19-11-2008 at 6.30 hours after observing all legal formalities and investigated into;

3. And whereas, it is alleged that on the date of trap i.e. on 19-11-2008 Sri G.Srinivas, proceeded to the Office of the Superintending Engineer, Nagarjuna Sagar Left Branch Canal, Operation & Maintenance Circle, Miryalaguda on foot and went into the room of Sri Madhava Chary who wished Sri Gudepu Srinivas and asked him to sit on the chair opposite to his table and then Sri Madhava Chary enquired whether the demanded bribe amount was brought. Accordingly Sri Gudepu Srinivas took out the wad of currency notes and offered the tainted amount of Rs.6,000/- to Sri Madhava Chary, who received the said amount with his right hand and kept them in his front left side shirt pocket. Then Sri Madhava Chary, Technical Officer informed to Sri G.Srinivas that the Superintending Engineer has signed the letter addressed to the Chief Engineer for according administrative sanction to the works and so saying, he handed over a Xerox copy of the letter. After sometime Sri Gudepu Srinivas came out of the office to a visible place and gave the prearranged signal to the Trap party. The Right hand fingers and the inner flap of the left front shirt pocket of Sri Madhava Chary, when subjected Phenolphthalein test, yielded positive results. The tainted amount of Rs.6,000/- was recovered from the possession of Sri Madhava Chary, Technical Officer from his wearing left front shirt pocket on his production and the said amount of Rs.6,000/- was seized under the cover of Post Trap proceedings;

4. And whereas, the said acts of Sri Katla Madhava Chary, Technical Officer, Office of the Superintending Engineer, Nagarjuna Sagar Left Branch Canal, Operation & Maintenance Circle, Miryalaguda, Nalgonda District constitute the offences punishable under sections 7 and 13 (1)(d) read with 13 (2) of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988);

5. And Whereas, the Government of Andhra Pradesh, being the competent authority to remove Sri Katla Madhava Chary, Technical Officer, Office of the Superintending Engineer, Nagarjuna Sagar Left Branch Canal, Operation & Maintenance Circle, Miryalaguda, Nalgonda District from service, after fully and carefully examining the material consisting of First Information Report, Trap Proceedings etc., placed before them in respect of the above said allegation and having regard to the facts and circumstances of the case, consider that Sri K.Madhava Chary, Technical Officer should be prosecuted in the Court of Law for the aforesaid offences;

6. Now therefore, in exercise of the powers conferred under section 19(1) (b) of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988), the Government of Andhra Pradesh hereby accord sanction for the prosecution of Sri Katla Madhava Chary, Technical Officer (Head Draughtsman), Office of the Superintending Engineer, Nagarjuna Sagar Left Branch Canal, Operation & Maintenance Circle, Miryalaguda for the aforesaid offences punishable under

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sections 7 & 13 (2) read with 13 (1) (d) of the Prevention of Corruption Act, 1988 and for any other cognate offences punishable under any other provisions of law for the time being in force in respect of the afore said allegations and for taking cognizance of the said offence by the Court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

(S.P.TUCKER)
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General, Anti Corruption Bureau, Hyderabad.
Copy to:
The Law (B) Department.

//forwarded by::order//

Section officer